IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANIDGARH.

C.W.P. No. 15256 of 2006
Date of Decision : 22.9.2006

Manpreet Kaur ... Petitioner

Versus

State of Punjab and others. ... Respondents

CORAM : Hon'ble Mr. Justice J.S. Khehar
Hon'ble Mr. Justice S.D. Anand

Present : Mr. D.S. Gurna, Advocate,
for the petitioner.

J.S. Khehar, J. (Oral)

The petitioner has impugned the selection and appointment made by the respondents, wherein respondent No.4 has been appointed as a Guest Faculty Lecturer in English.

We have perused the pleadings in the instant writ petition along with the Result Card-cum-Interview marks assigned to the candidates, who participated in the selection process. Whereas respondent No.4 has been awarded 17 marks, the petitioner has only been awarded 14 marks in the process of selection. The primary contention of the learned counsel for the petitioner is that the petitioner was awarded more marks at the Graduation and at the Post Graduation levels than that of respondent No.4 and as such, the petitioner ought to have been selected at a position higher in the merit list. Although the petitioner indeed acquired slightly higher marks than that of respondent No.4, both at the Graduate and Post Graduate level, but, we are of the view that in the process of selection against the post of Lecturer merely marks in the academic qualifications cannot determine the inter se merit of the candidates. Additionally, respondent No.4 has other higher

qualification in the nature of MBA, which may have been one of the reasons which had weighed with the Selection Committee in awarding the higher marks to respondent No.4. In fact, it is apparent from the Annexure P/2 that marks awarded were for higher qualifications as well.

It is also the contention of the learned counsel for the petitioner that the father of respondent No.4 is a Head of English Department in the same college to which respondent No.4 has been selected and appointed. That argument itself cannot be the basis of non-suiting respondent No.4. It is not the case of the petitioner that the father of respondent No.4 participated in the process of selection for the appointment of the Guest Faculty Lecturer in which respondent No.4 was selected or played any other role therein.

Most importantly, it would be pertinent to mention that Annexure P/2, the compilation sheet of the result of the candidates, reveals that while finalizing the recommendation of respondent No.4, the Selection Committee had followed the criteria laid down by the Punjab Government in its letter No. D.P.I. 11/60-2002 M (6) dated 13.8.2002. It is not the case of the petitioner that the aforesaid criteria was violated while selecting respondent No.4.

For the reasons recorded above, we find no merit in this petition and the same is accordingly dismissed.

(J.S. Khehar)
Judge

September 22, 2006 (S.D. Anand)
vkd Judge